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WASHINGTON—Iranian citizens are threatened by their own government's recent moves toward instituting a penal code that for the first time would legally enshrine the death penalty for so-called apostasy. If the proposed penal code, which is nearing final passage, is approved as expected in parliament, members of many religious minority communities could be subject to death sentences. The United States and other governments that value freedom of thought, conscience, and religion or belief must speak out forcefully against the apostasy provision in the new penal code making its way through the Iranian Parliament.

“The new penal code provision prescribing the death penalty for the so-called crime of apostasy and other crimes is a huge step backwards for human rights,” said Commission Chair Felice D. Gaer. “Iran’s Supreme Leader, Ayatollah Ali Khamenei, has disparaged foreign criticism of the penal code as ‘global arrogance,’ but no objective observer can present the recent developments in Iranian law as anything but regression. Religious freedom in Iran remains a chimera.”

Christians, Baha'is, and even some Muslims have been subject to arbitrary arrest and are threatened. The Iranian government this month leveled apostasy charges against two reported Christians, Mahmoud Matin and Arash Basirat. They were among more than a dozen reported Christian converts who were detained in the southern city of Shiraz in May; the others have been released but informed that legal cases remain pending against them. Five more Christians were arrested in August, including Ramtin Soodmand, the son of Assemblies of God pastor Hossein Soodmand, who was executed in 1990.

Iranian authorities consider Baha'is to be apostates because of their claim to a religious revelation subsequent to that of the Prophet Mohammed, despite the fact that Baha'is do not consider themselves Muslim. Since 1979, Iranian authorities have killed more than 200 Baha'i leaders, thousands have been arrested and imprisoned, and more than 10,000 have been dismissed from government and university jobs. Seven Baha'i leaders, who were arrested in March and May, remain in Evin prison in Tehran without access to legal counsel. No formal charges have been made against them, although media reports recently quoted an Iranian official as saying that the Baha'is had "confessed" to operating an "illegal" organization with ties to Israel and other countries. Such baseless claims have been made repeatedly in the past by Iranian authorities. At present, more than 20 Baha'is currently are in prison in Iran on account of their religious identity.

The year 2008 has seen other disturbing evidence of the Iranian government's utter failure to abide by international standards. While the government has announced its suspension of stoning to death—although this is not the first time such claims have been made—Iran has continued the brutal execution of minors, with reliable reports that at least six have been executed this year, two of them just last month. Four women leaders of the One Million Signatures campaign, which is dedicated to ending discrimination against women in the application of Islamic law in Iran, have been jailed for six months for allegedly "spreading propaganda" against Iran's Islamic system by advocating for its reform.

In recent years, hundreds of prominent Muslim activists and dissidents from among the Shi'a majority advocating political reform have been sentenced to lengthy prison terms on charges of seeking to overthrow the Islamic system in Iran; others have been arrested and detained for alleged blasphemy and criticizing the nature of the Islamic regime. Reformists and journalists are regularly tried under current press laws and the Penal Code on charges of "insulting Islam," criticizing the Islamic Republic, and publishing materials that deviate from Islamic standards.

Because of the Iranian government's egregious and systematic violations of religious freedom and other human rights, including prolonged detention, torture, and executions based primarily or entirely upon the religion of the accused, the Commission continues to recommend that Iran be included on the State Department's list of "countries of particular concern."

The U.S. Commission on International Religious Freedom calls on the U.S. government and its allies to pressure Tehran to end punishments for so-called apostasy, including the death penalty, release religious prisoners, and end its practice of systematically marginalizing its religious minorities.

Further, the Commission urges the U.S. government to continue to speak out vigorously about such cases and on behalf of others in Iran who have been imprisoned solely because of their religion or belief, and encourage other foreign governments to engage Iran on religious freedom and human rights issues.

“Iran’s human rights record is abysmal, and the soon-to-be codified call for the death penalty for apostasy underlines the danger that the intolerance of the Iranian regime poses to its own people,” Gaer said. “The Iranian government should respect the international commitments it has taken on in the field of religious freedom and other human rights, including the freedom to have or adopt a religion as set out in Article 18 of the International Covenant on Civil and Political Rights, to which Iran is a party.”

For further details on the status of religious freedom in Iran and relevant policy recommendations, see the Iran chapter in the Commission’s 2008 Annual Report at <http://www.uscifr.gov/images/AR2008/annual%20report%202008-final%20edition.pdf>

. For a transcript of the Commission’s February 2008 hearing on Iran, see http://www.uscifr.gov/index.php?option=com_content&task=view&id=2036&Itemid=36

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